REMARKS

By this Amendment, Applicant adds claims 15-27 and amends claims 1, 3, 5, and 12. Applicant respectfully submits that the amendments are for purposes of clarity and are not narrowing. Accordingly, claims 1-27 are all the claims pending in the application.

I. Formal Matters

The Examiner has not indicated whether the drawing figures filed with the application on August 27, 2003, are accepted. The Examiner is respectfully requested to accept the drawing figures.

Applicant thanks the Examiner for initialing the PTO/SB/08 forms submitted with the Information Disclosure Statements of April 15, 2004, March 10, 2006, July 3, 2006, and September 15, 2006, indicating that the documents cited therein have been considered.

II. Claim Objections

The Examiner objected to claim 5 because of informalities. Claim 5 is hereby amended without narrowing the scope of the claim to overcome the objection.

III. Claim Rejections under 35 U.S.C. § 112, Second Paragraph

The Examiner rejected claims 1-14 under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Claim 1 is hereby amended without narrowing the scope of the claim. Applicant respectfully submits that claim 1 and its dependent claims 2-14 are definite.

IV. Claim Rejections under 35 U.S.C. § 103(a)

The Examiner rejected claims 1-14 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,917,804 B2 to Takayama et al. (hereinafter "Takayama") in view of U.S. Patent No. 6,393,282 B1 to Iimori (hereinafter "Iimori"). Applicant respectfully

traverses this rejection and respectfully requests the Examiner to reconsider this rejection at least in light of the comments which follow.

Only claim 1 is independent. Claim 1 recites, *inter alia*,

> an access point data table in which the access point data detected and obtained by the access point search unit are recorded, and
>
> a function controller for, when a condition for communicating with the currently connected access point matches a predetermined roaming operation start condition, employing a predetermined order sequence to select one of the access points entered into the access point data table, and for driving the roaming unit to perform the roaming operation for the access point that is selected.

The Examiner concedes that Takayama does not disclose the above features. But the Examiner asserts that Iimori discloses the above-mentioned features of claim 1. Applicant respectfully disagrees. Applicant also respectfully submits that even if Iimori discloses such features, and it does not, there is no suggestion in Takayama and Iimori, taken individually or in combination to combine their teaching to produced the combination claimed in claim 1.

Instead of disclosing an access point data table in which the access point data detected and obtained by the access point search unit are recorded, as recited in claim 1, Iimori discloses a handover history storage section (*see* col. 8, lines 20-28). A person of ordinary skill in the art would understand that access point data detected and obtained by the access point search unit is

not the same as or suggested from handover history because handover history is a history of the process of switching the base station to which the mobile station is connected (*see* col. 1, lines 29-32). Thus, the handover history does not contain access point data detected and obtained by an access point search unit because the history is instead obtained through past handovers. The access point search unit, on the other hand, according to an exemplary embodiment, detects access point data through scanning processes, rather than through past handovers (*see* page 13, lines 7-18 of the Specification).

Iimori discloses that the handover history includes up to five pieces of information about handover destination base stations, starting with the newest one, each time a new handover is effected, and pieces of information about the past five consecutive handover destinations (*see* col. 8, lines 20-28). Thus, Iimori discloses the storage of history information about past handovers, not access point data detected and obtained by the access point search unit, as recited in claim 1. Accordingly, Applicant respectfully submits that Iimori does not disclose or suggest "an access point data table in which the access point data detected and obtained by the access point search unit are recorded," as recited, *inter alia*, in claim 1.

Even if the access point data table in which the access point data detected and obtained by the access point search unit are recorded is the same as the handover history disclosed by Iimori, which Applicant respectfully submits is not true, Iimori still does not teach a function controller for, when a condition for communicating with the currently connected access point matches a predetermined roaming operation start condition, employing a predetermined order sequence to select one of the access points entered into the access point data table, and for driving the roaming unit to perform the roaming operation for the access point that is selected, as recited in claim 1. Instead, Iimori discloses that a search operation is performed when it is

determined that handover is needed and, if a base station is found that fulfills the condition for the handover destination, the handover process is executed (*see* col. 12, lines 17-42 of Iimori).

A person of ordinary skill in the art would understand that using a predetermined order sequence to select an access point entered into a data table and driving the roaming unit to perform the roaming operation for the access point that is selected is not the same as performing a search operation and executing the handover process if a base station is found that fulfills the condition for the handover destination.

Iimori does not disclose selecting one access point using a predetermined order sequence. Rather than selecting one access point, Iimori discloses that four base stations in the handover history storage section are put together into a first search group acting as a priority search object that is searched for frequently (*see* col. 8, line 29 – col. 9, line 4). Iimori also does not disclose the use of a predetermined order sequence.

Furthermore, Iimori does not disclose that an access point is selected for a roaming operation from either the handover history storage section or an access point data table. Instead, the four base stations put together into the first search group are used as a priority search object. The selection of a base station as a handover destination takes place after the completion of the search, based on the results of the search, not based on any predetermined order sequence (*see* col. 12, lines 17-51). Accordingly, Applicant respectfully submits that Iimori does not disclose these features recited in claim 1.

Thus, at least for the reasons discussed above, Applicant respectfully submits that independent claim 1 is patentable over Takayama and Iimori. Applicant respectfully submits that independent claims 2-14 are patentable over Takayama and Iimori at least by virtue of their

dependency on claim 1.

V. New Claims

Claims 15-27 are hereby added. Applicant respectfully submits that claim 15 is patentable over Takayama and Iimori at least for the reasons discussed above with respect to claim 1. Applicant respectfully submits that claims 16-27 are patentable over Takayama and Iimori at least by virtue of their dependency on claim 15.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Eric S. Barr/

Eric S. Barr
Registration No. 60,150

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
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